



PATENT 450100-03671

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)

Kensuke Fujimoto et al.

Notice of Allowance

Dated: 04/06/2005

Serial No.

10/017,156

Confirmation No. 1662

For

REPRODUCED SIGNAL EVALUATION APPARATUS AND

METHOD, REPRODUCTION APPARATUS AND METHOD, AND

RECORDING APPARATUS AND METHOD

Filed

Ι

December 14, 2001

Examiner

Paul W. Huber

Art Unit

2653

745 Fifth Avenue New York, New York 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope add to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 21, 2005

William S. Frommer, Reg. No. 25,506

Name of Applicant, Assignee or Registered Representative

April 21, 2005

Date of Signature

## RESPONSE TO EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This is in response to the Examiner's Statement of Reasons for Allowance, which accompanied the Notice of Allowance mailed April 6, 2003. To the extent the Examiner's Statement of Reasons for Allowance states, implies or is construed to mean that the claims are

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allowable over the prior art of record because the Examiner believes the claims should be

interpreted to include one or more features or limitations not recited therein, Applicants' attorney

disagrees with such an interpretation. Moreover, it is Applicants' contention that there is no

particular limitation in the allowed claims that is more critical than any other. The issuance of

the Examiner's Statement of Reasons for Allowance should not be construed as a surrender by

Applicants of any subject matter. It is the intent of Applicants, by their attorney, to construe the

allowed claims so as to cover the invention disclosed in the instant application and all

equivalents to which the claimed invention is entitled.

Additionally, Applicants emphasize that the election of species filed November 1,

2004 must be construed as an election of those species represented by drawing Figs. 2, 4, 5, 8, 18

and 19 because all of the claims that were elected and allowed, namely, claims 11-41, read on all

of these species. Accordingly, Applicants' election of species should not be interpreted as a

disclaimer of any of Species II, represented by Figs. 2, 4 and 8, Species III, represented by Figs.

2, 4 and 18 or Species IV, represented by Figs. 1, 4 and 19.

Respectfully submitted,

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